Chan, Benjamin (SEC)

From: Jacob Gorham [redacted]
Sent: Saturday, August 10, 2024 5:17 AM
To: Christine Wilda
Cc: Records Administrator - UMass Amherst; Campbell, Parker (SEC); SEC-DL-PREWEB
Subject: RE: FW: SPR24/2067 Determination

Hi Christine,

Thank you for the information. Can you please tell me which records from my request you'll be providing?

Thank you,
Jacob

On Fri, Aug 9, 2024 at 21:21, Christine Wilda <cwilda@umass.edu> wrote:

> Jacob,
> Once we receive your payment (check payable to the University of Massachusetts) we will begin the process to provide the records. If the total cost of production exceeds this estimate, we will advise you of the additional cost; if the total cost is less than the estimate, we will refund that amount to you. Please address all correspondence regarding your request to me at the address below.
>
> Thanks,
> Christine
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> ==========
> Christine M. Wilda
> Associate Chancellor for Compliance
> UMASS Amherst
> 340 Whitmore Building
> Amherst, MA 01003
> Ph: 413-545-2148
> Fax: 413-545-2114
> cwilda@umass.edu
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>
> **From:** Jacob Gorham [redacted]
> **Sent:** Friday, August 9, 2024 2:23 PM
> **To:** Christine Wilda <cwilda@umass.edu>
> **Cc:** Records Administrator - UMass Amherst <recordsadmin@umass.edu>; Parker.Campbell@sec.state.ma.us; SEC-DL-PREWEB <SEC-DL-PREWEB@sec.state.ma.us>
> **Subject:** Re: FW: SPR24/2067 Determination
>
> Hi Christy,
>
> Whom should I make the check out to?
>
> Thanks,
> Jacob

On Fri, Aug 9, 2024 at 20:13, Christine Wilda <cwilda@umass.edu> wrote:

Jacob,

On July 5, 2024, you requested the following records (the "Requested Records"):

1. The current employee roster for Parking Services, including:
—1a. The name of each employee
—1b. Their position and title
—1c. Their current step, grade, and salary
—1d. Their unique identifier for issuing citations as linked to that employee

2. Records (including, but not limited to, emails, databases, and software logs) containing citation issuing identifiers in turn linked or connected to employee names for any Parking Services employee, including specifically any unique identifiers used for issuing citations.

3. Reports or records detailing the number and type of citations issued by each Parking Services employee, such as daily, weekly, monthly, or annual reports summarizing citation activity and any internal tracking or logs that list citations issued per employee.

On July 19, 2024, I responded with:

The Massachusetts Public Records Law exempts the Requested Records from disclosure pursuant to G. L. c. 4, § 7(26)(b) which provides, in pertinent part, that records that are related to internal personnel rules and practices of a governmental unit may be withheld. This statutory exemption applies when the performance of necessary government functions would be inhibited by disclosure of the requested records. Previous correspondence to you provided reasons why information of the type requested here would inhibit the functions of the University's Parking Services.

Although we reserve the right to defend our withholding of records pursuant to G. L. c. 4, § 7(26)(b), we note the case authority provided by the SOR: "there are no authoritative Massachusetts decisions interpreting Exemption (b). The general purpose of the cognate federal exemption is to relieve agencies of the burden of assembling and maintaining for public inspection materials in which the public cannot reasonably be expected to have an interest." See Dep't of the Air Force v. Rose, 425 U.S.352, 362-70 (1976).

The records request here has no global public interest purpose. Rather, the purpose is an idiosyncratic one, in which the public cannot reasonably be expected to have an interest.

In terms of establishing the resource burden, we provide the time and resources needed to assemble and produce the requested records by setting forth a good faith estimate of the fees necessary to produce the records you have requested. This fee estimate is based on the fact that there are over 150,000 emails for 18 Parking employees and 28,000 citations, annually.

Segregate/Redaction: 5,108 hours at $25/hour = $127,700

No charge for first 4 employee hours = -$100
Total = $127,600

Under Chapter 66 of the General Laws, you have the right to appeal our disposition of your request to the Supervisor of Public Records, Office of the Secretary of State, pre@sec.state.ma.us and the right to seek judicial review of an unfavorable decision by commencing a civil action in the superior court under subsection (c) of section 10A.

Regards,

Christine

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Christine M. Wilda
Associate Chancellor for Compliance
UMASS Amherst
340 Whitmore Building
Amherst, MA 01003
Ph: 413-545-2148
Fax: 413-545-2114
cwilda@umass.edu

From: Campbell, Parker (SEC) <Parker.Campbell@sec.state.ma.us>
Sent: Friday, August 2, 2024 10:56 AM
To: [redacted]; Christine Wilda <cwilda@umass.edu>; Records Administrator - UMass Amherst <recordsadmin@umass.edu>
Cc: SEC-DL-PREWEB <SEC-DL-PREWEB@sec.state.ma.us>
Subject: SPR24/2067 Determination

> Some people who received this message don't often get email from parker.campbell@sec.state.ma.us. Learn why this is important

Hello,

Please be aware, the Supervisor of Records has issued a determination relating to an appeal in which you were involved. This determination is attached and available online at: http://www.sec.state.ma.us/AppealsWeb/AppealsStatus.aspx.

If you have any questions, please contact the Public Records Division at 617-727-2832 or pre@sec.state.ma.us.

Thank you,
Parker Campbell

Parker Campbell (He/Him)
Office of the Secretary of the Commonwealth
Public Records Division
One Ashburton Place, Room 1719
Boston, MA, 02108
617-727-2832